IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL APPLICATION NO. 21 OF 2005
IN
CONTEMPT PETITION NO. 28 OF 2005
IN
WRIT PETITION NO. 9613 OF 2004

Krantikari Suraksha Rakshak Sanghathana ...Petitioners
Vs.
Bharat Sanchar Nigam Ltd. and Anr.Respondents

...

Ms.Jane Cox for Petitioners
Mr.R.Ashokan for Respondent no.1
Ms.Lata Desai for Board

...

CORAM : B.H.MARLAPALLE,J.
DATE : MAY 4,2005

P.C.:

1. Heard Ms.Jane Cox, the learned counsel for the Applicant-Union and Mr.Ashokan for the Respondent no.1.

2. In obedience of the order passed on 4.3.2005, the amount of salary payable to the 20 guards for a period of eight months has been deposited i.e. Rs.5,12,000/- and subsequently, the Contempt Petition has been admitted on 13.3.2005.

3. In this Civil Application, the Applicant-Union prays for leave to withdraw the deposited amount of RS.5,12,000/- so as to disburse the monthly wages payable to the concerned 20 security guards through

the Security Guards Board from Brihanmumbai and Thane Districts (Kalyan Branch) and therefore, it would be appropriate that the monthly wages of these 20 guards from July, 2004 to February, 2005 are disbursed by the said Board. Mrs.Lata Desai, the learned counsel appearing for the said Board in W.P.No. 9613 of 2004 is present and she states that the wages of the 20 guards as if on duty, in normal course, shall be calculated and paid to each one of them from July, 2004 to February, 2005, but in any case, this disbursement would be without prejudice to the Board's right to claim the recovery of leave charges and other legal dues if any.

4. The Registry is therefore, directed to release the deposited amount by way of cheque/Banker's cheque in favour of "Security Guards Board for Brihanmumbai and Thane Districts" and it is directed that the said Board inturn, shall disburse the monthly salaries of the concerned 20 Security Guards for the period of eight months from July, 2004 as if on duty in normal course and on disbursement of the wages, the Board shall submit a statement of such disbursement with the Registry of this Court.

5. Civil Application is disposed off accordingly.

[B.H.MARLAPALLE,J.]